

PATENT
ATTORNEY DOCKET NO.: 056291-5046

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:

CUMMING

Appln. No.: 09/937,018

Filed: September 20, 2001

FOR: PYRIDINE AND PYRIMIDINE
DERIVATIVES AND THEIR USE AS
INHIBITORS OF CYTOKINE MEDIATED
DISEASE

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) Group Art Unit: 1614
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) Examiner: Rao, Deepak R.
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Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
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Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Date: February 24, 2004

Filed via Facsimile

Sir:

**RESPONSE TO ADVISORY ACTION AND
SUBSTITUTE AMENDMENT UNDER 37 C.F.R. § 1.116**

This is in response to the Advisory Action dated February 17, 2004, in which Applicant's amendment and response after Final, filed January 20, 2004, was not entered because newly added claims 17-19 were deemed to require additional consideration and/or search. A Substitute Amendment, in lieu of the non-entered January 20, 2004 amendment, is provided below, which is identical to the January 20, 2004 amendment, except that new claim 17-19 have been omitted. As discussed further under the Remarks below, this Substitute Amendment is believed to now place all claims pending in this application in condition for allowance, and entry of this amendment is therefore respectfully requested. The time for responding to the September 24, 2003 Final Rejection is extended to and including February 24, 2004, by petition and authorization for payment of additional fee submitted herewith.